

## **APPENDIX # 5**

**LETTER FROM DR. SUSAN FERRON, M.D. TO JUDGE JAMIE ANDERSON RE: SMITH**



M HEALTH FAIRVIEW CLINIC  
SMILEYS  
2020 E 28TH STREET  
SUITE 104  
MINNEAPOLIS MN 55407-1394  
Phone: 612-333-0770  
Fax: 612-333-1986

April 1, 2024

Jerry W Smith  
915 11TH AVE S APT 5  
HOPKINS MN 55343-7943

To whom it may concern,

I am writing this letter on behalf of my patient, Jerry W. Smith. Mr. Smith has been a patient at our clinic for over 15 years. He has an extensive mental health history complicated by depression and PTSD (with recurring need for inpatient hospitalization), and also has multiple chronic physical conditions including metabolic syndrome, hypertension, hyperlipidemia, prostate cancer, migraine headache, and chronic pain related to lumbar radiculopathy that requires frequent follow up with specialists in addition to primary care.

His mental health is particularly challenged during the winter months and he is susceptible to poor concentration and organization when his mood is low. He has also been experiencing worsening migraines since his last car accident in 2021 - which also affect his vision and concentration. He has had several appointments in the past few months (with us, cardiology, his mental health providers, his eye doctor, his urologist, and his pain clinic - including physical therapy), and he has been trying to keep up with his court appointments related to a dispute with his insurance company. I hope you can appreciate that his chronic mental and physical conditions have definite impact on his ability to function properly; I know he has probably had difficulty staying organized with his court deadlines.

If you have any questions, please do not hesitate to contact me, or our Team Nurse, at clinic.

I thank you in advance for your help.

Respectfully,

A handwritten signature in cursive script that reads 'Nicole'.

Nicole Chaisson, MD





Anoka Pain Management  
2621 Greenhaven Rd  
Anoka MN 55303  
Clinic Phone: 763-587-4488  
Appointment Center: 763-587-4488

8/19/2024

District Judge Jamie Anderson  
300 South 6th Street  
Minneapolis, MN 55487

Re: Allstate Insurance  
Hartford Insurance  
File No. 27 CIV. 23-19463 (JA)

Dear Judge Anderson:

I am unable to attend the hearing on the above matter, set for September 3, 2024 at 9 am before the District Court. I will not be in the State of Minnesota at that time.

I want to confirm that I completed the attached letter of February 19, 2021 to Judge M. Jacqueline Regis. At that time I concluded

"...the COVID-19 global pandemic (first identified in the United States in March, 2020) has significantly impacted his ongoing medical and behavioral conditions and his ability to appropriately manage his affairs, such as this specific legal matter..."

I concur, also with the letter of Zeke J. McKinney, MD of January 28, 2021.

Sincerely,

  
Susan M. Ferron, MD

Cc: Clerk of District Court, Civil Division ✓  
300 South 6th Street  
Minneapolis, MN 55487

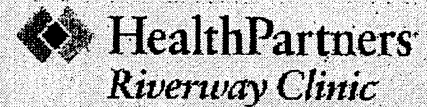
Att: 1) Letter of 2/19/2021  
2) Letter of 1/28/21

2024 AUG 27 P 1:40

Filed in District Court  
State of Minnesota



Letter by Ferron, Susan M, MD on 2/19/2021



Riverway Pain Clinic  
601 Jacob Lane Suite 2  
Anoka MN 55303  
Clinic telephone number: 763-587-4488

2/19/2021

Hennepin County District Court  
District Judge M. Jacqueline Regis  
300 South 6th Street  
Minneapolis, MN 55487  
(Clerk's e-mail address: jennifer.allen@courts.state.mn.us)

re: *Jerry Smith vs. Sharper Management et al.*  
File No. 27-CV-20-3510

Dear Judge Regis,

Mr. Jerry Smith (DOB 9/15/1950) is a patient under my care. I am a specialist in chronic pain management. During the course of my care I have referred Mr. Smith to Zeke McKinney, MD, in Environmental Medicine for considerations of disability given a history of chronic physical and mental health conditions that were severely exacerbated by a motor vehicle crash that occurred on October 18, 2018. I have been following with Mr. Smith periodically to try to optimize chronic pain management through comprehensive care, including restorative physical therapy and behavioral therapy.

He requested that I submit this letter to your office, in addition to my clinical documentation, to demonstrate that the COVID-19 global pandemic (first identified in the United States in March, 2020) has significantly impacted his ongoing medical and behavioral conditions and his ability to appropriately manage his affairs, such as this specific legal matter. Within a reasonable degree of medical certainty, I can state that Mr. Smith does have medical and behavioral issues at the present time that do significantly limit his ability to manage the necessary cognitive and temporal demands of a civil justice case such as he has described regarding this matter.

Mr. Smith has informed me that he does not waive his right to privacy regarding his medical records that have been shared in this regard and moreover does not wish his medical information to be shared with any other parties absent his express consent.

Please feel free to contact our office with any questions or concerns regarding this matter.

Sincerely,

Susan M. Ferron, MD

Cc: Kristen Hanson  
Jerry Smith

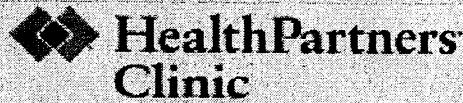
*Attachment 1*

#### Revision History

Revised by Ferron, Susan M, MD today at 9:43 AM (current version)



## Letter by McKinney, Zeke J, MD on 1/28/2021



St Paul Occupational And Environmental  
Medicine  
205 Wabasha St. S.  
Saint Paul MN 55107  
Clinic Phone: 952-883-6999  
Clinic Fax: 651-293-8183

Hennepin County District Court  
District Judge M. Jacqueline Regis  
300 South 6th Street  
Minneapolis, MN 55487  
(Clerk's e-mail address: jennifer.allen@courts.state.mn.us)

re: *Jerry Smith vs. Sharper Management et al.*  
File No. 27-CV-20-3510

Dear Judge Regis,

Mr. Jerry Smith (DOB 9/15/1950) is a patient under my care. I am an Occupational and Environmental Medicine to whom Mr. Smith was referred for considerations of disability given a history of chronic physical and mental health conditions that were severely exacerbated with a motor vehicle crash that occurred on October 18, 2018. I have been following with Mr. Smith periodically to evaluate his functional status and to assist with administrative oversight of his care in order for his care to be properly covered by his auto insurer, who requires a variety of specific documentation requirements to continue appropriate medical coverage of my patient.

He requested that I submit this letter to your office, in addition to my clinical documentation, to demonstrate that the COVID-19 global pandemic (first identified in the United States in March, 2020) has significantly impacted his ongoing medical cares and his ability to appropriately manage his affairs, such as this specific legal matter. Within a reasonable degree of medical certainty, I can state that Mr. Smith does have medical issues at the present time that do significantly limit his ability to manage the necessary cognitive and temporal demands of a civil justice case such as he has described regarding this matter.

Mr. Smith has informed me that he does not waive his right to privacy regarding his medical records that have been shared in this regard and moreover does not wish his medical information to be shared with any other parties absent his express consent.

Please feel free to contact our office with any questions or concerns regarding this matter.

Sincerely,

Zeke J. McKinney, MD, MHI, MPH, FACOEM  
Occupational and Environmental Medicine Physician

*Attachment 2*